

OAG-40 (Rev. 10/93) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the District of Massachusetts
2005
12/20/2005
12:50

Olena Oltar

U.S. DISTRICT COURT
DISTRICT OF MASS

SUMMONS IN A CIVIL CASE

v.

Kevin M. Leary

04-12594 RGS
CASE NUMBER

TO: (Name and address of Defendant)

Kevin Leary 14 101 federal St. Boston

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

David J. Berg
 Latti & Anderson, LLP
 30-31 Union Wharf
 Boston, MA 02109

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.



CLERK TONY ANASTAS

(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and Complaint was made by me (1)

DATE

January 12, 2005

NAME OF SERVER

BURTON M. MALKOFSKY

TITLE

Process Server / A Disinterested Person

Check one box below to indicate appropriate method of service

 Served personally upon the defendant. Place where served:

100 Federal Street, Boston

, MASSACHUSETTS

 Left copies thereof at the defendant's dwelling or usual place of abode with a person of suitable age and discretion then residing therein. Name of person whom the summons and complaint were left:

Said service was made at: _____, MASSACHUSETTS

 Other: By handing true and attested copies thereof to _____

Duly Authorized Agent for the within-named _____

Said service was made at:

, MASSACHUSETTS

STATEMENT OF SERVICE FEES

SERVICE FEE \$ 50.00 Trips

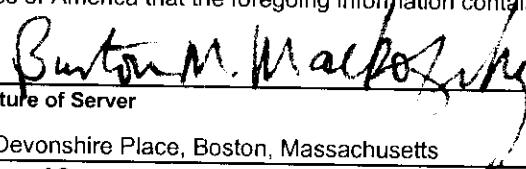
DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on January 12, 2005

Date

Signature of Server



One Devonshire Place, Boston, Massachusetts

Address of Server

ADDITIONAL INFORMATION

PLEASE NOTE THAT IT WAS NECESSARY TO MAKE ____ ATTEMPTS BEFORE MAKING PROPER SERVICE.

Date Time Remarks

FEE

\$	_____
\$	_____
\$	_____
\$	_____
\$	_____
\$	_____
\$	_____
\$	_____
TOTAL	\$ _____

(1) As to who may serve a summons see Rule 4 to the Federal Rules of Civil Procedure.

RETURN OF SERVICE

DATE _____

Service of the Summons and complaint was made by me⁽¹⁾
NAME OF SERVER (PRINT)

TITLE _____

Check one box below to indicate appropriate method of service

Served personally upon the third-party defendant. Place where served: _____

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

Returned unexecuted: _____

Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____

Date _____

Signature of Server _____

Address of Server _____

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.